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NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS.

ADVISORY MEMORANDUM 130

POLICE REGULATION OF AIRCRAFT.

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To be returned to
the files of the Langley
Memorial Aeronautical
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POLICE REGULATION OF AIRCRAFT.*

By Edward P. Warner.

In an earlier article published in this paper attention was given to the general rules which govern aircraft law, and mention was made of the great variety of the statutes adopted by various governments. It was there laid down that the control of the operations of aircraft in its broader outlines should come more and more exclusively into the hands of the Federal Government and that the states and cities should exert their authority only through police regulations framed to meet local conditions. Federal control alone might be a theoretical ideal, but it is not likely that the right to govern the kind of flying done within their territories will ever be wholly relinquished either by states or by municipalities.

Events of the last few days have brought the subject of restrictions on flying forcibly to the fore, and the time is appropriate for a detailed analysis of the kind of regulation which is being adopted and the kind which should be adopted. Within the last few weeks the Massachusetts Legislature has passed a statute which is likely to have become law before this article is printed, a statute perhaps the most elaborate yet brought forward in any state, for the control of flying, and the importance of sane and effective regulation has also been emphasized by the ill-judged and reckless activities of certain pilots, notably of the man who persistently circled about close over the heads of the crowd during President Harding's speech at the Lincoln Memorial exercises.

* Taken from "Christian Science Monitor," June 26, 1922.

That accident brought home to the President very forcibly the need for measures of control.

Protecting the Public.

Under the head of police regulations may be included all of the rules intended primarily to insure the safety of those on the ground below the aircraft, as well as some of those designed to protect the passenger in a commercial machine. Obviously, the first rule to be considered for the protection of the general public is that safety really exacts. Aeronautics needs friends so badly, if commercial flying in the United States is to become a reality, that the pilot who shows off the capabilities of the airplane by doing things which he may know to be perfectly safe, but which the layman on the ground below instinctively feels to be dangerous, is doing a very poor service to the cause. He is postponing the day when flying will pass from the hands of the showman entirely into those of the man of business, when it will cease to be regarded as a "game" and will take its place among the great industries of the nation.

Flights Over Crowds Restricted.

The instinctive first impressions of the man on the ground must not be forgotten in framing aircraft laws, and it was as a concession to those impressions that the Massachusetts law was made to forbid altogether flights over assemblies of people gathered to watch exhibitions or contests except by specific permis-

ion of the state authorities. Such permission would ordinarily be given only to those engaged in making photographs for press or other purposes, and even the aerial photographer must of course conform to the general regulations regarding height to be maintained.

For similar reasons the bill prepared in Massachusetts forbade altogether "stunting," or aerial acrobatics, when carrying paying passengers. Stunting is, of course, perfectly safe under proper conditions. It is a necessary part of the training of a military aviator, and many pilots find it the most enjoyable feature of flying. Nevertheless, the passenger who has been up for his first "hop" and who has been looped and spun returns to earth in most cases with a feeling that he has been part of a thrilling circus performance and that he has an exciting story to tell his friends, but without the slightest desire to repeat the experience. It will be a great day for flying when the word "thrilling" ceases to be applied to airplane flights, for when the average man describes an experience as "thrilling" he means that he has no wish to try it again. Incidentally, it may be noted that stunting for hire has already been forbidden in Canada. There, as in Massachusetts, if the new law goes through its final stages, the only way to experience stunting is to get a friendly non-commercial pilot to take you up free of charge.

To Check "Wing-Walkers."

Another provision which should be incorporated in every air-

craft law is one designed to check the activities of the "wing-walkers." The prime attraction in exhibitions where the airplane is used as a high trapeze or where an intrepid individual transfers from one aircraft to another in flight is the extreme danger which is obviously inherent in them, for human beings always seem to enjoy running risks vicariously. Every accident is a definite blow at commercial aerial transportation.

Important as the regulation of aircraft is, it is equally vital that a fair chance should be given to proper flying. As long as flying fields are as rare as they are at present the position of the cross-country pilot will be an almost impossible one, and he will be forced to fly low over cities in order to pick out his route, while most journeys will have to come to an end in a privately-owned field selected from the air and often found, after the landing has been made, to contain a hidden ditch capable of destroying the airplane or to hold a crop for whose injuries the owner wants extortionate damages. The regulation of flying and its encouragement by the Government must go hand in hand, and the public interest will suffer in the long run if either of them is allowed to get far ahead of the other.

